

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON STATE ADMINISTRATION**

**Call to Order:** By Chairman Dennis Himmelberger, on February 5, 2007 at 8:00 A.M., in Room 455 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Dennis Himmelberger, Chairman (R)  
Rep. Duane Ankney, Vice Chairman (R)  
Rep. Hal Jacobson, Vice Chairman (D)  
Rep. Debby Barrett (R)  
Rep. Gary Branae (D)  
Rep. Mary Caferro (D)  
Rep. Sue Dickenson (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Teresa K. Henry (D)  
Rep. Pat Ingraham (R)  
Rep. William J. Jones (R)  
Rep. Bruce Malcolm (R)  
Rep. Walter McNutt (R)  
Rep. Alan Olson (R)  
Rep. Mike Phillips (D)  
Rep. Veronica Small-Eastman (D)  
Rep. Franke Wilmer (D)

**Members Excused:** Rep. Scott Sales

**Members Absent:** None

**Staff Present:** Dee Barfknecht, Committee Secretary  
Sheri Heffelfinger, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing: HB 63, HB 125  
Executive Action: HB 457, HB 485

**HEARING ON HB 125**

**Opening Statement by Sponsor:**

00:03:36 Rep. Dave Kasten (R), HD 30, opened the hearing on HB 125, Repay loan for startup costs of the defined contribution retirement plan.

**Proponents' Testimony:**

00:06:25 Scott Miller, Montana Public Employee Retirement Administration (PERA)

**EXHIBIT(sth25a01)**

00:08:51 David Ewer, Budget Director, Office of the Governor

00:10:10 Leo Berry, Association of Montana Retired Public Employees

00:10:31 Betty Lou Kasten, Former Legislator

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:12:35 Rep. Jacobson  
00:13:20 Mr. Ewer  
00:13:48 Rep. Phillips  
00:14:15 Mr. Miller  
00:14:20 Rep. Phillips  
00:14:27 Mr. Miller  
00:14:37 Rep. Dickenson  
00:15:07 Mr. Miller  
00:15:22 Rep. Wilmer  
00:15:56 Mr. Miller  
00:16:29 Rep. Ingraham  
00:17:03 Mr. Miller  
00:18:00 Rep. Ingraham  
00:18:22 Mr. Miller  
00:19:14 Chairman Himmelberger  
00:19:23 Mr. Miller  
00:20:26 Rep. Wilmer  
00:20:45 Mr. Miller  
00:21:07 Rep. Wilmer  
00:21:25 Mr. Miller  
00:21:31 Rep. Hendrick  
00:21:52 Mr. Miller

**Closing by Sponsor:** None

**HEARING ON HB 63**

**Opening Statement by Sponsor:**

00:22:51 Rep. John Musgrove (D), HD 34, opened the hearing on HB 63, Actuarially fund teacher retirement system.

**EXHIBIT(sth25a02)**

**Proponents' Testimony:**

00:25:13 David Senn, Executive Director of the Teachers' Retirement System

**EXHIBIT(sth25a03)**

**EXHIBIT(sth25a04)**

00:44:09 David Ewer, Budget Director, Office of the Governor

00:54:30 Marg Crennan, Retired Teacher, Volunteer Advocate for AARP

**EXHIBIT(sth25a05)**

00:57:09 Scott Dubbs, Chairman of the Teachers Retirement Board, Principle of Fergus High School

01:01:48 Charlotte Thomas, Montana Retired Educators Association

**EXHIBIT(sth25a06)**

01:03:56 Tom Bilodeau, Montana Education Association, Montana Federation of Teachers (MEA/MFT)

**Opponents' Testimony:**

01:05:25 Bob Vogel, Montana School Boards Association

01:11:05 Darrell Rud, Executive Director, School Administrators of Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:15:41 Rep. Barrett

01:16:28 Rep. Musgrove

01:17:17 Rep. Dickenson

01:18:17 Ms. Thomas

01:18:38 Rep. Dickenson

01:18:51 Ms. Thomas

01:19:02 Rep. Phillips

01:19:30 Mr. Senn

01:19:53 Rep. Phillips

01:20:00 Mr. Senn

01:20:05 Rep. Phillips

01:20:15 Mr. Ewer

## HOUSE COMMITTEE ON STATE ADMINISTRATION

February 5, 2007

PAGE 4 of 7

01:20:59 Rep. Phillips  
01:21:15 Mr. Ewer  
01:21:58 Rep. Jacobson  
01:22:38 Mr. Senn  
01:22:49 Rep. Jacobson  
01:23:32 Mr. Senn  
01:23:47 Rep. Branae  
01:24:10 Mr. Vogel  
01:26:00 Rep. Branae  
01:26:11 Mr. Vogel  
01:26:19 Rep. Ankney  
01:26:56 Mr. Miller  
01:27:16 Rep. Ankney  
01:27:26 Mr. Senn  
01:28:24 Rep. Wilmer  
01:28:59 Mr. Senn  
01:29:10 Rep. Wilmer  
01:29:17 Mr. Senn  
01:29:34 Rep. Wilmer  
01:29:57 Mr. Senn  
01:30:18 Rep. Wilmer  
01:30:40 Mr. Senn  
01:31:10 Rep. Wilmer  
01:31:51 Mr. Senn  
01:32:08 Rep. Wilmer  
01:32:45 Mr. Vogel  
01:34:24 Rep. Wilmer  
01:34:49 Mr. Vogel  
01:35:33 Rep. Malcolm  
01:36:19 Mr. Senn  
01:36:54 Rep. Malcolm  
01:37:22 Mr. Senn  
01:39:20 Rep. Jacobson  
01:40:00 Mr. Senn  
01:40:09 Rep. Jacobson  
01:40:43 Mr. Senn  
01:40:47 Rep. Jacobson  
01:41:21 Mr. Senn  
01:42:18 Rep. Ingraham  
01:43:07 Mr. Ewer  
01:44:23 Rep. Ingraham  
01:44:35 Mr. Ewer  
01:45:29 Chairman Himmelberger  
01:45:57 Amy Carlson, Governor's Office  
01:46:56 Rep. Malcolm  
01:47:21 Mr. Ewer  
01:48:16 Rep. Malcolm  
01:48:21 Mr. Senn  
01:48:45 Rep. Ingraham

01:49:37 Mr. Senn  
01:50:11 Rep. Hendrick  
01:50:36 Mr. Senn  
01:51:39 Rep. Hendrick  
01:52:54 Mr. Senn

**Closing by Sponsor:**

01:53:01 Rep. Musgrove  
  
01:55:26 Break  
02:15:27 Reconvene

**EXECUTIVE ACTION ON HB 457**

02:16:17 **Motion:** Rep. Olson moved that **HB 457 DO PASS.**

**Discussion:**

02:16:30 Rep. Jones  
02:18:25 Rep. Ingraham  
02:20:51 Rep. Malcolm  
02:21:21 Rep. Ingraham  
02:22:35 Rep. Hendrick  
02:23:02 Rep. Wilmer  
02:23:59 Rep. Olson  
02:27:14 Rep. Jones  
02:27:30 Rep. Phillips

02:27:41 **Vote:** Motion that **HB 457 DO PASS** failed by roll call vote, 5-13. Reps. Ankney, Caferro, McNutt, Olson and Small-Eastman voted aye. Reps. Sales, Barrett and Dickenson voted by proxy.

02:28:13 **Substitute Motion/Vote:** Rep. Ankney made a substitute motion that **HB 457 BE TABLED**, which carried by voice vote, 17-1. Rep. Olson voted no. Reps. Sales, Barrett and Dickenson voted by proxy.

**EXECUTIVE ACTION ON HB 485**

02:29:45 **Motion:** Rep. Ingraham moved that **HB 485 DO PASS.**

02:30:14 **Motion:** Rep. Jacobson moved that **HB 485 BE AMENDED.**  
**EXHIBIT**(sth25a07)

**Discussion:**

02:30:23 Sheri Heffelfinger  
02:33:26 Rep. Jones  
02:33:38 Rep. Jacobson  
02:34:04 Rep. Phillips  
02:34:22 Rep. Jones  
02:35:18 Rep. Olson  
02:35:23 Rep. Jacobson  
02:35:42 Chairman Himmelberger  
02:35:51 Ms. Heffelfinger  
02:36:10 Rep. Phillips  
02:36:34 Ms. Heffelfinger  
02:37:43 Rep. Hendrick

02:38:24 **Vote:** Motion that **HB 485 BE AMENDED** carried by voice vote, 15-3. Rep. Caferro, Sales and Barrett voted no. Reps. Sales, Barrett and Dickenson voted by proxy.

02:38:55 **Motion:** Rep. Olson moved that **HB 485 DO PASS AS AMENDED.**

**Discussion:**

02:39:52 Rep. Henry  
02:42:48 Rep. Ankney  
02:45:23 Rep. Jacobson

02:48:57 **Vote:** Motion that **HB 485 DO PASS AS AMENDED** carried by roll call vote, 12-6. Reps. Ankney, Barrett, Malcolm, McNutt, Sales and Himmelberger voted no. Reps. Sales, Barrett and Dickenson voted by proxy.

**ADJOURNMENT**

02:49:25 Adjournment

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REP. DENNIS HIMMELBERGER, Chairman

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DEE BARFKNECHT, Secretary

DH/db

Additional Exhibits:

**EXHIBIT ([sth25aad.pdf](#))**